

MAIL STOP NON-FEE RESPONSE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



Re: Our File: RELIANT 3.0-002 Group Art Unit: 1771

Applicant: STULMAN

Serial No.: 10/004,268

Examiner: ARTI SINGH

Filed: NOV. 2, 2001

For: MOISTURE-RESISTANT, SHAPE- Batch No.:
RETAINING FABRIC, RIBBON AND BOW AND PROCESS FOR MANUFACTURING SAME

Dear Sir:

Enclosed for filing in the United States Patent and Trademark Office is the following:

- | | |
|---------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Law Firm Transmittal Letter + <u>COPY</u> | <input type="checkbox"/> Letter/Official Draftsmen |
| <input type="checkbox"/> Response/ Amendment TO RESTRICTION REQUIRE. | <input type="checkbox"/> Petition |
| <input type="checkbox"/> Affidavit/Declaration | <input type="checkbox"/> Request for Ext. of Time |
| <input type="checkbox"/> Notice of Appeal | <input type="checkbox"/> Small Entity Statement(s) |
| <input type="checkbox"/> Assignment and cover sheet | <input checked="" type="checkbox"/> Postcard acknowledging receipt of above-identified material |
| <input type="checkbox"/> Certificate of Correction | |
| <input type="checkbox"/> Check No. _____ - \$ _____ | |
| <input type="checkbox"/> Claim of Priority - Cert'd Copies | |
| <input type="checkbox"/> Communication | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Drawings _____ sheets - | <input type="checkbox"/> _____ |
| Formal/Informal | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Issue Fee/Maintenance Fee | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Information Disclosure Statement; Reference, Tabs - | |

Conditional Petition and Fee for Extension of Time: If any extension of time for the accompanying response is required, applicant requests that this be considered a petition therefor.

In connection with the above-identified matter, please charge any additional fees or any other charges related to this matter to the deposit account of the writer, No. 23-0812.

Respectfully submitted,

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Enclosures

DATED: 09/24/03

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE WITH SUFFICIENT POSTAGE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS, ALEXANDRIA, VA 22313-1450 ON

DATE: 09/24/03

(Signature)

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RELIANT 3.00-002
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Arnold M. Shulman
Serial No.: 10/004,268
Filed: November 2, 2001
For: Moisture-Resistant, Shape-Retaining Fabric, Ribbon
and Bow and Process For Manufacturing Same

Examiner: Arti Singh
Group Art Unit: 1771

Honorable Commissioner of
Patents and Trademarks
ATTN: BOX NON-FEE RESPONSE
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Responsive to the restriction requirement mailed August 26, 2003, applicant provisionally elects, with traverse, Claims 19-23 of Group II at this time.

REMARKS

As required, applicant elects Group II for examination at this time. However, applicant respectfully traverses the restriction requirement.

Applicant does not believe that the separately identified groups of claims have been established, in fact, as constituting independent and distinct inventions. In requiring restriction between Groups I and II, the Examiner has maintained that the product as claimed can be made by another and materially different process, i.e., the fabric and the coating could be coextruded together, instead of separately applying the coating and then heat setting or laminating the layers of fabric and coating together. However, the substitute process which the Examiner proposes is not feasible. Fabric is not made by an extrusion process, but is woven on a loom. Thus, a co-extrusion process as proposed is not feasible. Since the process and the product have not been shown to be distinct,

it is respectfully submitted that restriction in this case is improper and that claims to the process and the product may be included in the same application.

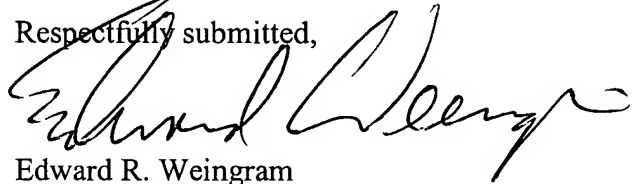
Even if the Examiner were to persist in the belief that these two groups of claims should be restricted, it is worth noting that the Manual of Patent Examining Procedure states:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even if it includes claims to distinct or independent inventions. [MPEP 803, emphasis added].

In view of the above remarks, it is respectfully submitted that the requirement for restriction is unsustainable and should be withdrawn. Reconsideration of the restriction requirement and examination of all the claims on their merits is earnestly requested.

Dated: 9/24/03

Respectfully submitted,



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